



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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February 18, 2009

Mr. Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 314**, DNA SAMPLE FOR CRIMINAL OFFENSES - AMENDMENTS, by Representative R. Greenwood, with the following amendments:

1. *Page 1, Lines 14 through 15:*

14           ► requires that a DNA specimen shall be obtained from a person convicted of {  
                  ~~an~~  
15 ~~assault~~} a class B misdemeanor domestic violence assault , {~~which~~  
                  ~~is a class B misdemeanor,~~} in addition to current requirements for

2. *Page 1, Lines 17 through 19:*

17           ► provides that a DNA specimen is not to be taken from a minor who commits {  
                  ~~an~~  
18 ~~assault~~} a class B misdemeanor domestic violence assault offense ;  
19           ► requires a person convicted of {~~an assault~~} a class B misdemeanor  
                  domestic violence assault offense to also pay the fee of {~~\$100~~  
                  ~~-~~} \$200 for the costs of

3. *Page 2, Lines 47 through 48:*

47           (ii) on and after May 12, 2009, {~~assault,~~} a class B misdemeanor offense of  
                  domestic violence assault , {~~under~~} as defined , {~~Section~~  
48 ~~76-5-102~~} in Subsection 77-36-1(4)(b) , except that a DNA specimen may not be  
                  taken from a minor whom the court has

4. *Page 2, Line 50:*

50    class B {~~assault~~} misdemeanor domestic violence assault offense; or

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5. *Page 3, Line 77:*

77 the [~~responsible~~] agency responsible for obtaining the DNA specimen  
{~~-\$100~~} \$200 for the cost of

6. *Page 3, Line 83:*

83 (ii) An agency's guidelines and procedures may provide for the assessment of  
{~~-\$100~~} \$200 on

7. *Page 3, Line 85:*

85 the {~~-\$100~~} \$200 is paid in full.

8. *Page 3, Line 88:*

88 deposit {~~-\$80~~} \$180 of the fee in the DNA Specimen Restricted Account and  
retain the balance of \$20

Respectfully,

Douglas C. Aagard  
Committee Chair

Voting: 5-2-5

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